PLAIN WRITING ACT OF 2010
DEPARTMENT OF JUSTICE IMPLEMENTATION
ANNUAL COMPLIANCE REPORT
April 2013

Since the posting of the Department of Justice's First Annual Compliance Report last year, the offices, boards, divisions and component agencies of the Department have continued their efforts to implement the requirements of the Act by writing and revising documents to be more clear, concise, meaningful and well-organized.

Because the individual components are in the best position to determine which of their documents are covered by the Act, the Department continued to follow a decentralized process in complying with the Act. Nevertheless, several steps have been taken at the Department level that should be helpful to citizens interested in checking on our efforts.

For example, we created a new contact address so that anyone who wants to comment or question our Plain Writing efforts can easily reach us. This new email address, DOJPLainWriting@usdoj.gov, replaced the webmaster's address on our Plain Writing web page, and will be monitored by both the senior official in charge of implementation and his assistant. The assistant's name has also been added.

A number of components agreed to post the names of their Plain Writing points of contact, and their names are now available on the Plain Writing home page.

We are in the process of considering how to develop appropriate performance measures. Individual components were consulted on this question and several made valuable suggestions. These include:

      a. Look at what performance measures other agencies have developed.

      b. Add a plain writing requirement to the performance standards of positions responsible for producing written materials for the public.

      c. Require each DOJ component to provide on its internal web page the name of a designated senior official for plain writing and an annual compliance report, the section headings and format to be determined by the Department.

d. Develop Department-wide guidance and training regarding clear writing; establish standards for style. Implement power point presentations and other training material such as those available at www.plainlanguage.gov.

e. Include a performance element that measures the employee's ability to write clear and concise documents, e-mails, etc., for the intended audience. You may measure an employee's effectiveness by using a 360 degree feedback or surveys.

f. We would suggest the number of staff trained, and perhaps tracking the number of complaints about complicated or confusing information as possible performance measures.

g. There are website assessment tools such as 'take this survey' or 'rate this website,' both common commercial practices that may possibly aid in the collection of data from website users that reflects how well the website performed.

Training in Plain Writing has continued throughout the Department in the past year. Specifically, the following has occurred:

a. The Learning and Workforce Development staff of the Justice Management Division has posted on its Mandatory Training chart the requirement that "Those who regularly write or edit documents 'covered' by the Plain Writing Act of 2010 (essentially, documents intended for the general public, whether paper or electronic format), must participate in Plain Writing training.

b. Individual components are continuing to require training of their employees as they consider necessary. Some have acquired courses on their own; for example, the Civil Division training office is using the free course available on the NIH website. Other components are using the courses that have been posted on the Department's training website.

c. The Department has posted on its LearnDOJ training website the Social Security Administration's Plain Writing Courses. In addition, the Department's LearnDOJ Catalog currently lists the following courses, developed by our prime content provider, that are available for Department employees:

> (1) Business Writing: Know your Readers and Your Purpose
> (2) Business Writing: How to Write Clearly and Concisely
> (3) Business Writing: Editing and Proofreading
> (4) Business Grammar: Parts of Speech
> (5) Business Grammar: Working with Words
> (6) Business Grammar: The Mechanics of Writing
> (7) Business Grammar: Punctuation

(8) Business Grammar: Sentence Construction
(9) Business Grammar: Common Usage Errors

More details of interest reported by several components follow.

Office of the Inspector General (OIG)

OIG writer-editors and the Office of Human Resources are aware of the basic points of using plain language (such as reducing the use of acronyms, using tables, and using simpler words and sentences). They use this approach in producing a myriad of written products, except where technical language must be used.

Three out of five OIG writer-editors attended formal plain language training in the last year. In addition, writer-editors employ plain language as they edit non-technical language in various reports. The Office of Human Resources employs plain language as it creates vacancy announcements. The OIG uses the Management & Planning Division's Biweekly Bulletin, which goes to all OIG employees and contractor personnel, to raise awareness of the Plain Language Act and related tools and tips.

Office of Professional Responsibility (OPR)

OPR identified the documents that it produces that are disclosed to the public and has ensured that they meet the Act's requirements by establishing writing and style standards and a review process.

OPR has few documents that are disclosed to the public; however, it has identified response letters and OPR's website that fall under the provisions of the Act. Any public document is subject to a multi-level review by experienced and trained attorneys who edit the documents for clarity and consistency.

OPR developed a style manual that it distributed to all employees that establishes punctuation, grammar, and word use to assist its employees in producing clear and consistent documents. OPR's style manual and writing standards have been discussed at OPR staff meetings. OPR also has advised its employees that it follows the Chicago Style Manual for writing guidance. www.chicagomanualofstyle.org/home.html.

Office of Justice Programs (OJP)

OJP has trained all OJP Public Affairs specialists and Office of Communications staff on Plain Language, so that all external documents are written in accordance with Plain Language guidelines.

During the course of the past year, OJP has made information and training opportunities on the Plain Language Act available to all of our employees. We have advertised courses and encouraged participation through the use of our internal webpages for our entire 600+ workforce, and the response received has been positive.

Training opportunities included the following:

       a. Briefing by the Plain Language trainers to our managers and supervisors
       b. The development of an OJP Social Media Style Guide addressing plain language in our social media communications
       c. Sponsored events to view webinars on plain language writing
       d. Advertised training opportunities sponsored by the DOJ Project Management Institute on the "Principles of Plain Language"

United States Marshals Service (USMS)

USMS continues to ensure Agency compliance with the Plain Writing Act of 2010. All documents intended for a public audience are reviewed prior to release to ensure they are written in plain language.

In particular, two widely circulated Agency documents were recently published in accordance with Plain Writing principles: the USMS 2012-2016 Strategic Plan, published in May 2012 and posted to the public website, and the Safety and Health Poster, redesigned in April 2012 and displayed in USMS offices nationwide. [See "Before & After" on the Department's Plain Writing web page for differences in the USMS Strategic Plans of 2012 and 2006 once Plain Writing practices were applied.]

Some offices also have established standard operating procedures, which include Plain Writing Act requirements. Finally, the USMS Forms Guidelines manual now requires any Marshals Service forms that will be completed by the public to be reviewed for Plain Writing Act compliance as well.

Criminal Division (CRM)

We sent out another reminder to our sections' training points of contact. This reminder included information about the Plain Writing Act, available training, and included the additional resources provided by the Department. We also provided the training points of contact with the list of potentially covered documents previously provided by our administration office and asked them to let us know what steps they had taken to review or revise the documents. The Public Integrity Section said that last year it revised and streamlined its Report to Congress in accordance with the Plain Writing Act.

We also identified some contractor paralegals with our Fraud Section who prepare letters to the public, and we directly assigned them training videos through our learning management system, learnDOJ.

We also posted the following notice on our CRMLink Bulletin Board:

To All of CRM Division:

I wanted to remind you that, under the Plain Writing Act of 2010, documents "created or substantially altered that are intended to communicate with the public must be written in plain language – or plain writing or just plain English." Employees who regularly write or edit documents covered by the Act need to complete training.

The Office of Legal Education has posted two training videos on learnDOJ:

Plain Language, Part 1 (16 minutes)
Plain Language, Part 2 (32 minutes)

Please make sure that if your work falls within this Act or may fall within this Act that you complete this training.

Environment and Natural Resources Division (ENRD)
Following Plain Writing training in ENRD, we revised the templates we use for Federal Register Notices to make them more compatible with the goals of the Act. One Assistant Chief in particular, who has a longstanding interest in making our documents more straightforward and easier to understand, took this on as a project for our largest section. The template for our defense section also was revised. The new templates are posted on the intranet for access by our attorneys. Each notice has to be reviewed by management before it is transmitted, and Plain Writing is one element of the review.

After our initial training for staff covered by the Act, we have ensured that all new staff receivePlain Writing training. We have used the online training available through LearnDOJ.

Office of Legal Counsel (OLC) and Office of the Solicitor General (OSG)
OSG's and OLC's websites are reviewed and updated at least twice a year. OSG uses templates that adhere to the Plain Language Act to respond to FOIA requests and citizen mail. The templates are revised based on an internal review process and/or feedback from the public. OLC replies to citizen mail and FOIA requests using a routine format that adheres to the Plain Language Act. OLC also uses an internal review process to ensure that documents always adhere to the Plain Language Act.

OSG and OLC use an automated tracking system to manage FOIA requests and citizen mail.

The only written communications that OSG and OLC produce specifically for the public are information on their respective websites and responses to citizen mail and FOIA requests. However, OSG's entire staff recently received communications training. Additionally, OSG managers and the administrative team received copies of the USCIS Plain Language Guide. OLC and OSG staffers will also be encouraged to complete the free Plain Language Writing training on NIH's website.

Federal Bureau of Prisons (BOP)

The Bureau of Prisons continues to monitor information provided to the public to ensure publications, brochures and other documents are in compliance with the Plain Writing Act. We also monitor all information posted on bop.gov. All content developed for the agency website is reviewed prior to posting and then quarterly thereafter by the appropriate subject matter experts. These reviews help to ensure the content is accurate and written in plain language that is easy to understand.

During our Policy Writers training, the Bureau offers a dedicated segment on Plain Writing. Additionally, the Bureau has provided four online writing courses from Skillsoft that are available to all staff. They are:

> Business Grammar: The Mechanics of Writing
> Business Writing: Editing and Proofreading
> Business Writing: How to Write Clearly and Concisely
> Business Writing: Know Your Readers and Your Purpose

Office on Violence against Women (OVW)

OVW has engaged in extensive efforts to revise our solicitations. We now use a common solicitation template that ensures consistency in language and formatting across grant programs and reduces redundancy. We also solicit ongoing feedback from our grantees on ways to improve the annual and semi-annual progress reporting forms and the accompanying instructions.

With the recent reauthorization of the Violence Against Women Act, we will begin a process to revise the reporting forms to reflect not only statutory changes but also suggested improvements from grantees and OVW staff. In addition, we are reviewing the OVW website. The goal is to make it more user-friendly and accessible and to ensure that information about our office, grant programs and other activities is accurate, clear and concise.

OVW solicitations and sample grantee progress reporting forms are available to the public through the OVW website.

The Deputy Director for Grant Program Development and Management notified all staff of OVW's implementation of the Plain Writing Act and strongly encouraged them to review online resources designed to enhance their ability to communicate in a clear and straightforward manner. OVW is also hoping to schedule training on plain writing at an upcoming mandatory staff meeting. In addition, we are considering holding specific training for the OVW staff who serve as solicitation points of contact.

United States Trustee Program (the Program)

Plain writing coordinators in each of the Program's 21 regions and the Executive Office are responsible for ensuring that newly created documents subject to the Act are written in plain language. The Program has not systematically revised existing documents.

Program employees who regularly draft documents covered by the Act received training in the fall of 2011. The last Program training, consisting of a live meeting presentation available to all Program personnel by the Executive Office Plain Language Coordinators, was provided in December 2011.

Drug Enforcement Administration (DEA)
Office of Acquisition and Relocation Management (FA):
As part of the overall redesign of the DEA.Gov website, the URL has been changed. DEA's new "Doing Business with DEA" website is –
http://www.justice.gov/dea/resourse-center/doing-business.shtml.

In addition to the general appearance update to the above referenced website, the Office of Acquisition and Relocation Management, Policy and Analysis unit (FAPP) has been collaborating with the DEA Office of Public Affairs (PA) to specifically redesign the entire "Doing Business with DEA" resource center. A mock-up website design proposed by FAPP will eventually replace the existing website and will greatly reduce display text and seek to add intuitive links and drop-down menus that allow the audience to rapidly assess and access the information that they need with regard to DEA procurement matters. The FAPP mock-up design is currently with the Office of Public Affairs for review and comment. The revised website will be monitored continuously for current and accurate content once implemented.

Plain Language initiatives within the federal procurement process are constrained by the legal and regulatory language as prescribed in statutes, executive orders, regulations and policies. Currently, there is no Plain Language training; however, the DEA.GOV "Doing Business with DEA" website is managed only by FAPP, with a Plain Language perspective as it relates to the federal marketplace.

Office of Diversion Control (OD):
There are numerous informational brochures posted on the website that are compliant with the Act as well, including:

- Pharmacy Robbery and Burglary
- Pseudoephedrine/Methamphetamine
- Steroid Abuse
- Drug Addiction in Health Care Professionals
- A Pharmacist's Guide to Prescription Fraud
- Don't Be Scammed By a Drug Abuser
- Pharmacy Theft Warning Poster
- How Sick People Get

Additionally, the following manuals are currently under revision:

- Chemical Handler's Manual (revision completed, awaiting final approval)
- NTP/Drug Addiction Treatment Act (DATA-Waived) Practitioner Manual (currently in revision stage)
- Mid-Level Practitioner's Manual (currently in revision stage)

A new manual (which will also be in compliance with the Act) titled 'Researcher's Manual' is currently being drafted by OD's Liaison Unit (ODLL). This document will assist researchers using controlled substances in their research to comply with the controlled substance laws and regulations.

OD utilizes a database entitled 'Spin Business Framework Correspondent Management' (SBF-CM) to track completed manuals and brochures throughout the vetting and approval process.

Office of Operations Management (OM):
All documents covered by the Act within DEA's Asset Forfeiture Program (OMA) were drafted in plain language by the Office of Chief Counsel's Forfeiture Attorneys. As a result, each document will be easily understood by the general public and can be used to clarify Title 21 and Title 28 Code of Federal (CFR) Regulations.

All Plain Language Asset Forfeiture documents are identified by DEA Asset Identification and Case Numbers, which are tracked through the Department of Justice Consolidated Asset Tracking System (CATS).

When revisions to Asset Forfeiture documents are implemented, specialists and analysts within the group are provided training and written guidance for updates.

The updated list of DEA documents that fall within the jurisdiction of the law can be found under "Documents and Actions" on this page.